

01-22-02

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY PATENT APPLICATION TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 005158.P005  
(maximum 12 characters)First Named Inventor Xiaodong LiTitle: MULTI-CARRIER COMMUNICATION WITH TIME DIVISION MULTIPLEXING AND CARRIER-SELECTIVE LOADINGExpress Mail Label No. EL867650764USADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, D. C. 20231**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  **Fee Transmittal Form (e.g., PTO/SB/17)**  
(Submit an original, and a duplicate for fee processing)
2.  **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3.  **Specification (Total Pages 63)**  
(preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  **Drawings(s) (35 USC 113) (Total Sheets 6)**
5.  **Oath or Declaration (Total Pages 5)**
  - a.  Newly Executed (Original or Copy)
  - b.  Copy from a Prior Application (37 CFR 1.63(d))  
(for Continuation/Divisional with Box 18 completed)
    - i.  **DELETIONS OF INVENTOR(S)** Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
    - c.  Unsigned.
6.  **Application Data Sheet. (37 CFR 1.76)**
7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8.  Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a.  Computer Readable Form (CRF)
  - b.  Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies), or
    - ii.  paper
  - c.  Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  **Assignment Papers (cover sheet & documents(s))**
10.  a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
- b. Power of Attorney
11.  English Translation Document (if applicable)
12.  a. Information Disclosure Statement (IDS)/PTO-1449
- b. Copies of IDS Citations
13.  **Preliminary Amendment**
14.  **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**
15.  Certified Copy of Priority Document(s) (if foreign priority is claimed)
16.  **Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**
17.  Other: Express Mail Certification

**18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:**

Continuation       Divisional       Continuation-in-part (CIP)  
Of Prior Application No.: \_\_\_\_\_ Examiner \_\_\_\_\_ Group Art Unit \_\_\_\_\_  
(which is a  continuation/  divisional/  CIP of prior application no. \_\_\_\_\_,  
which is a  continuation/  divisional/  CIP of prior application no. \_\_\_\_\_) (List entire chain of priority)

**Applicant(s):** Also include a Preliminary Amendment to amend the specification to claim priority.  
For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**18B. Statement under 37 CFR 3.73(b) for continuing application:**

The undersigned states that \_\_\_\_\_ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. \_\_\_\_\_ Frame No. \_\_\_\_\_ (or a copy of which is attached).

**19. Correspondence Address**

Customer Number or Bar Code Label \_\_\_\_\_  
or \_\_\_\_\_ (Insert Customer No. or Attach Bar Code Label here)  
 Correspondence Address Below

NAME Christian A. Nicholes

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard

Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1026

Country U.S.A. TELEPHONE (408) 720-8300 FAX (408) 720-9397

Name (PRINT/TYPE): Christian A. Nicholes Registration No.: P-50,266

Signature: Christian A. Nicholes Date: 17 JAN 2002

## **FEE TRANSMITTAL FOR FY 2002**

**TOTAL AMOUNT OF PAYMENT (\$)** **\$956.00**

**Complete if Known:**

**Application No.** New Patent Application  
**Filing Date** Herewith  
**First Named Inventor** Xiaodong Li  
**Group Art Unit** Not Yet Assigned  
**Examiner Name** Not Yet Assigned  
**Attorney Docket No.** 005158.P005

**METHOD OF PAYMENT** (check one)

1. [ X ] The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

**Deposit Account Number** 02-2666  
**Deposit Account Name** Blakely, Sokoloff, Taylor & Zafman

- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- [ ] Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

## **FEE CALCULATION**

**1. BASIC FILING FEE**

Large Entity		Small Entity		
Fee	Fee	Fee	Fee	
Code	(\$)	Code	(\$)	Fee Description
101	740	201	370	Utility application filing fee
106	330	206	165	Design application filing fee
107	510	207	255	Plant filing fee
108	740	208	370	Reissue filing fee
114	160	214	80	Provisional application filing fee

**SUBTOTAL (1) \$ 740.00**

## **2. EXTRA CLAIM FEES**

<b>2. EXTRA CLAIM FEES</b>	<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims <u>32</u>	- 20** = <u>12</u>	X <u>18.00</u>	= <u>216.00</u>
Independent Claims <u>2</u>	- 3** = <u>0</u>	X <u>84.00</u>	= <u>0.00</u>
Multiple Dependent			=

**\*\*Or number previously paid, if greater: For Reissues, see below.**

<u>Large Entity</u>		<u>Small Entity</u>		
Fee	Fee	Fee	Fee	<u>Fee Description</u>
Code	(\$)	Code	(\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) \$ 216.00**

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee (\$)	Fee Code (\$)	
105	130	205	Surcharge - late filing fee or oath
127	50	227	Surcharge - late provisional filing fee or cover sheet
139	130	139	Non-English specification
147	2,520	147	For filing a request for ex parte reexamination
099	8,800	099	Request for inter parties reexamination
112	920*	112	Requesting publication of SIR prior to Examiner action
113	1,840*	113	Requesting publication of SIR after Examiner action
115	110	215	Extension for reply within first month
116	400	216	Extension for reply within second month
117	920	217	Extension for reply within third month
118	1,440	218	Extension for reply within fourth month
128	1,960	228	Extension for reply within fifth month
119	320	219	Notice of Appeal
120	320	220	Filing a brief in support of an appeal
121	280	221	Request for oral hearing
138	1,510	138	Petition to institute a public use proceeding
140	110	240	Petition to revive – unavoidable
141	1,280	241	Petition to revive - unintentional
142	1,280	242	Utility issue fee (or reissue)
143	460	243	Design issue fee
144	620	244	Plant issue fee
122	130	122	Petitions to the Commissioner
123	50	123	Processing fee under 37 CFR 1.17(q)
126	180	126	Submission of Information Disclosure Stmt
581	40	581	Recording each patent assignment per property (times number of properties)
146	740	246	For filing a submission after final rejection (see 37 CFR 1.129(a))
148	110	248	Statutory Disclaimer
149	740	249	For each additional invention to be examined (see 37 CFR 1.129(b))
179	740	279	Request for Continued Examination (RCE)
169	900	169	Request for expedited examination of a design application
195	300	195	Publication fee for early, voluntary, or normal pub.
196	300	196	Publication fee for republication
194	130	194	Request for voluntary publication or republication
098	130	098	Processing fee under 37 CFR 1.17(i) (except provisionals)
091	1,280	091	Acceptance of unintentionally delayed claim for priority

Other fee (specify) \_\_\_\_\_

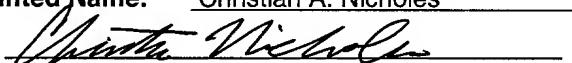
Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) \$ 0.00**

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**

Typed or Printed Name: Christian A. Nicholes

Signature:  Date: 17 JAN 2002

Reg. Number: P-50,266 Telephone Number: (408) 720-8300

"Express Mail" mailing label number:EL867650764US  
Date of Deposit: January 17, 2002

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

Carrie Boccaccini

(Typed or printed name of person mailing paper or fee)

Carrie Boccaccini  
(Signature of person mailing paper or fee)

1-17-2002

(Date signed)

Serial/Patent No.: \*\*\*\* Filing/Issue Date: Herewith  
Client: Broadstorm Telecommunications, Inc.  
Title: MULTI-CARRIER COMMUNICATION WITH TIME DIVISION MULTIPLEXING AND CARRIER-SELECTIVE LOADING  
BSTZ File No.: 005158.P005 Atty/Secty Initials: MJM/CAN/cab  
Date Mailed: January 17, 2002 Docket Due Date: January 19, 2002

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Amendment/Response (____ pgs.)  | <input checked="" type="checkbox"/> Express Mail No <b>EL867650764US</b>             | <input checked="" type="checkbox"/> Check No <b>47719</b> |
| <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate)                                    | <input type="checkbox"/> Month(s) Extension of Time                                  | Amt: <b>\$956.00</b>                                      |
| <input checked="" type="checkbox"/> Application - Utility ( <b>63</b> pgs., with cover and abstract) | <input type="checkbox"/> Information Disclosure Statement & PTO-144 (____ pgs.)      | <input type="checkbox"/> Check No. _____                  |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.)                         | <input type="checkbox"/> Issue Fee Transmittal                                       |   |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.)                           | <input type="checkbox"/> Notice of Appeal  |   |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.)                                  | <input type="checkbox"/> Petition for Extension of Time                              |   |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.)                      | <input type="checkbox"/> Petition for _____  |   |
| <input type="checkbox"/> Application - Design (____ pgs.)  | <input checked="" type="checkbox"/> Postcard   |   |
| <input type="checkbox"/> Application - PCT (____ pgs.)   | <input type="checkbox"/> Power of Attorney (____ pgs.)                               |   |
| <input type="checkbox"/> Application - Provisional (____ pgs.)                                       | <input type="checkbox"/> Preliminary Amendment (____ pgs.)                           |   |
| <input type="checkbox"/> Assignment and Cover Sheet  | <input type="checkbox"/> Reply Brief (____ pgs.)                                     |   |
| <input checked="" type="checkbox"/> Certificate of Mailing   | <input type="checkbox"/> Response to Notice of Missing Parts                         |   |
| <input checked="" type="checkbox"/> Declaration & POA ( <b>5</b> pgs.) <b>(unsigned)</b>             | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business |   |
| <input type="checkbox"/> Disclosure Docs & Orig & Cpy of Inventor's Sgnd Letter (____ pgs.)          | <input checked="" type="checkbox"/> Transmittal Letter, in duplicate                 |   |
| <input checked="" type="checkbox"/> Drawings: <b>6</b> # of sheets includes <b>9</b> figures         | <input checked="" type="checkbox"/> Fee Transmittal, in duplicate                    |   |

Other: \_\_\_\_\_  
\_\_\_\_\_